Council Meeting
Minutes

Minutes of the Council Meeting held on Monday 10 May 2021 at 6.24pm

Present Crs K Mack (Chairperson), A Cohn, G Docksey, A Glachan, M King, J Stuchbery, D Thurley and H van de Ven

Staff Chief Executive Officer, Deputy CEO Business, Growth & Community, Deputy CEO Infrastructure, Planning and Environment, Service Leader Business and Lifestyle, Service Leader Assets, Sustainability and Environment, Service Leader City Projects, Service Leader City Development, Team Leader Development, Media and Communications Officer, IT Systems Administrators and Executive Support/Governance Officer.

Apologies Cr D Cameron

THE MEETING OPENED WITH THE PRAYER & ACKNOWLEDGMENT OF ORIGINAL CUSTODIANS OF OUR LAND

CM2. RECORDING AND WEBCASTING OF MEETING

The Chairperson advised those present that the meeting is being webcast and recorded for administrative purposes.

CM3. CONFLICT OF INTEREST DECLARATIONS RECEIVED BY THE CHAIR AND DISCLOSURE OF POLITICAL DONATIONS

3.1 Conflict of Interest Declarations

There were no Conflict of Interest Declarations received by the Chair.

3.2 Disclosure of Political Donations and Requirements of the *Environmental Planning & Assessment Act 1979*

Advice to the Council Meeting

The Environmental Planning and Assessment Act 1979, Section 10.4 requires a person submitting planning applications or submissions regarding a planning application, to disclose any reportable political donation and/or gifts to any local Councillor or employee of Council. Reportable political donations include those of, or above, $1,000.

The Disclosure Statement forms are available on Council's website or from the Customer Service Centre and must be lodged in accordance with the Act. The forms are also available at the back of the Chamber during meetings.

In dealing with Development Applications, Councillors need to take into account specific planning matters contained in the Environmental Planning & Assessment Act 1979.

Accordingly, the provisions of Section 4.15(1) of that Act are set out in the Council officers report detailing planning issues to be considered.

The Local Government Act 1993, section 375A requires that a division be called whenever a motion for a planning decision is put at a meeting of the council.

Planning decision means a decision made in the exercise of a function of council under the Environmental Planning and Assessment Act 1979 including a decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act.

CM4. APOLOGIES

MOTION
Cr Glachan Moved, Cr Thurley Seconded

That Council receives, notes and accepts the apology of Cr Cameron and grants leave of absence for the meeting.

CARRIED

CM5. MAYORAL MINUTE

There was no Mayoral Minute.

CM6. ACTION PLANS

MOTION
Cr Stuchbery Moved, Cr Docksey Seconded

That the following Action Plans be received and noted:

1. Actions Complete – For Noting Only;
2. Actions Awaiting Response from External Parties;
3. Actions in Progress; and
4. Long Term Issues (more than three months).

CARRIED

CM7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

CM7.1. Minutes of the Council Meeting held on Monday 26 April 2021 at 6.19pm

MOTION
Cr Docksey Moved, Cr van de Ven Seconded

That the Minutes of the Council Meeting held on Monday 26 April 2021 at 6.19pm be confirmed.

CARRIED

CM8. REPORTS FROM COMMUNITY FORUMS

There were no Reports from Community Forums.

CM9. NOTICES OF MOTION/NOTICES OF RESCISSION

There were no Notices of Motion/Notices of Rescission.

CM10. PRESENTATIONS AND DEPUTATIONS

There were no Presentations and Deputations.

CM11. REPORTS/MINUTES OF COMMITTEES AND WORKING PARTIES

CM11.1. Minutes of the Local Traffic Committee Meeting held on Thursday 22 April 2021

MOTION
Cr Stuchbery Moved, Cr Docksey Seconded

That Council receives, notes and accepts the Minutes/Recommendations of the Local Traffic Committee Meeting held on Thursday 22 April 2021.

CARRIED

CM12. DOCUMENTS FOR SEALING

There were no Documents for Sealing.

CM13. OFFICERS REPORTS FOR CONSIDERATION

CM13.1. Development Application 10.2020.38019.1 31 Stirling Way Thurgoona Two Lot Torrens Title Subdivision

MOTION
Cr Cohn Moved, Cr Thurley Seconded

That Council:

a. Receives the contents of this report; and

b. Refuses Development Application 10.2020.38019.1 for a two lot Torrens title subdivision at 31 Stirling Way, Thurgoona, described as Lot 203 on DP 1206655, for the following reasons:
   i. The development is not consistent with the existing character as outlined in Part 10, Division B, Objective d. of Albury DCP 2010, and therefore is contrary to the provisions of Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979;*
   ii. The development is not consistent with the lot width requirements as outlined in Part 10, Division B, Cl. 2, a. i. of Albury DCP 2010, does not satisfy the associated Performance Criteria, and therefore is contrary to the provisions of Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979;* and
   iii. The development will have an unacceptable impact on the locality in terms of impact to established character of Stirling Way, and therefore is contrary to the provisions of Section 4.15(1)(b) of the *Environmental Planning and Assessment Act 1979*.

In accordance with s.375A(2) of the Local Government Act 1993, a division was duly called. The following votes of the motion were recorded:

FOR	**AGAINST**
Cr Stuchbery	Nil.
Cr Docksey	
Cr King	
Cr Mack	
Cr Cohn	
Cr Glachan	
Cr Thurley	
Cr van de Ven	

Disclosure of Political Donations
There were no Disclosures of Political Donations received by the Chairperson.

CARRIED

CM13.2. Wonga Wetlands Visitor Education Centre Detailed Design Contract No. 20/03195

MOTION
Cr van de Ven Moved, Cr Thurley Seconded

That Council accepts the tender from Bokor Pty Ltd for Contract No. 20/03195 – Wonga Wetlands Visitor Education Centre Detailed Design for the lump sum amount of $240,607.40 including GST.

CARRIED

CM13.3. Security Screening Point Expansion Contract

MOTION
Cr Thurley Moved, Cr Glachan Seconded

That Council:

a. Notes the requirement to carry out capital works to accommodate the new security screening equipment to meet the Aviation Transport Security Regulations 2005 and grant funding conditions; and

b. Accepts the tender from Southern Cross Developers for Contract No. 21/01130 — Albury Airport Security Screening Point Expansion with the lump sum amount of $251,039 including GST.

CARRIED

CM14. OFFICERS REPORTS FOR NOTING

CM14.1. Lavington - Jindera Shared Path

MOTION
Cr Cohn Moved, Cr Thurley Seconded

That Council receives the update from the joint working party with Greater Hume Council for a Recreational Path between Jindera and Lavington and notes that $25,000 has been included in the draft Four Year Delivery Program for consideration.

LOST

CM14.2. Provisions for Hollow Bearing Trees and Native Vegetation

MOTION
Cr Thurley Moved, Cr Glachan Seconded

That Council receives and notes this update on the outcomes of the extension of Biodiversity Certification of the Albury Local Environmental Plan (ALEP 2010) and progress on the review of Part 5 Vegetation Protection Controls of the Albury Development Control Plan (ADCP 2010).

CARRIED

CM15. DELEGATES REPORTS FOR NOTING

CM15.1. Murray Darling Association Delegate's Report - April 2021

MOTION
Cr Thurley Moved, Cr van de Ven Seconded

That Council receives and notes the Murray Darling Association Delegate's Report for Tabling at Council – April 2021.

CARRIED

CM16. NOTICE OF URGENT BUSINESS

CM16.1. Albury Wodonga Regional FoodShare

On 6 May 2021, Cr Thurley attended the event organized by Albury Wodonga Regional FoodShare to acknowledge and thank the donors that have supported the organization. Cr Thurley commended Albury Wodonga Regional FoodShare for the great work that they have done to support people in need. A social supermarket has been set up in Wodonga, and discussions are taking place with AlburyCity for something similar to be set up in Albury in future.

CM17. CONFIDENTIAL MATTERS

There were no Confidential Matters.

The meeting closed at 7.14pm.